

COMMISSION MEETING SIGN IN SHEET

Date: 15 June 2016

PLEASE PRINT NAME

ITEM #

EMAIL

PHONE

WARD #

Sharon Bashor

Sidewalks

1

Valerie Ducharme

From: Steve Cormier
Sent: Friday, June 17, 2016 1:31 PM
To: Valerie Ducharme
Subject: FW: Commission Item #6 VTrans Bike Ped Grant Application

From: Laura Wheelock
Sent: Wednesday, June 15, 2016 7:51 PM
To: Steve Cormier
Subject: Commission Item #6 VTrans Bike Ped Grant Application

Steve

Here is the requested notes to go along with item #6 notes as requested for distribution to the commission.

Here are some talking points:

1. The purpose of this agenda item is to inform the public about the 2016 application to the Bike/Ped Program (this is a requirement of the grant application)
2. The 2016 VTrans Bike/Ped Program offers 3 types of grants:
 - a. Small construction
 - b. Scoping
 - c. Design/construction
3. City staff from relevant departments met to discuss the potential grant candidates and our priorities
 - a. We haven't identified any small construction projects and still have to construct the crosswalks we were awarded last year through this program.
 - b. The Parks, Recreation and Waterfront Department are applying for Scoping of the trail network connecting North Avenue / Burlington College property / waterfront path.
 - c. DPW, CEDO, and Planning & Zoning are considering applying for Design/Construction of Main Street between Church and Pine Streets, leveraging the TIF funding allocated to these blocks for full reconstruction.
4. All grants require a local match
5. Design/construction projects must have completed Scoping
6. No decision is required, but if Commissioners or anyone from the public would like to provide input on our grant candidates now is the time
7. Grant applications are due mid-July; awards will be notified late summer; contract administration will take place early winter; projects may be ready to begin design/scoping in late winter; construction may be ready in 2018 at the earliest.

Laura K. Wheelock P.E.
Public Works Engineer

Burlington Department of Public Works

645 Pine Street
Burlington, VT 05401
PH: 802-540-0397
M: 802-338-2125
LWheelock@burlingtonvt.gov

City of Burlington

Sidewalk Program

1. Purpose
2. Background
3. Objective
4. Inventory Management
 - a) Barrier Score
 - b) Activity Score
 - c) Priority Score
5. Repair Definition and Methodology
 - a) Long Run Repair
 - b) Short Run Repair
 - c) Safety Hazard Repair
6. Funding Impacts

Purpose

- The Sidewalk Program is a multimodal system of maintaining and enhancing the City of Burlington's sidewalk network in the most efficient, effective, and equitable manner possible. Through the use of empirical data and analysis, this program focuses on continuous preventative maintenance of existing sidewalks and enhancement of the network through new sidewalk construction.

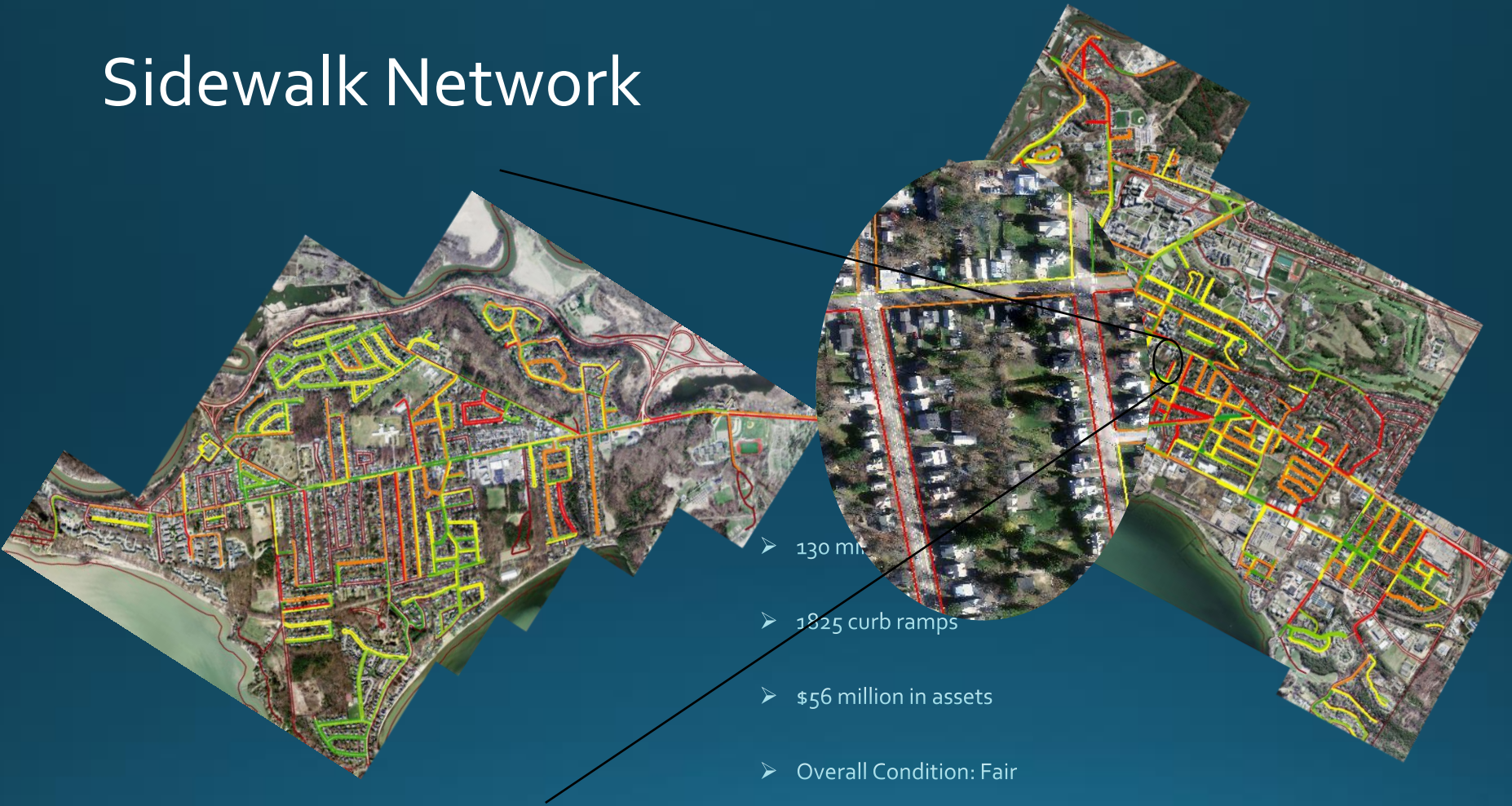
Background

- Design Life
 - Target 40 years
 - Current 130 years
- Many sidewalks in Burlington are over 60 years old
- Preventative maintenance required to meet 40 year design life



Manhattan Drive

Sidewalk Network



- 130 miles
- 1825 curb ramps
- \$56 million in assets
- Overall Condition: Fair

Objectives

1. Manage the total sidewalk network in a way that ensures safe and hazard free routes for pedestrian traffic.
2. Ensure that sidewalks within the right of way meet ADA standards and PROWAG guidelines.
3. Maintain a complete record of Burlington Sidewalks and their condition evaluated on a 5-10 year rotating schedule.
4. Define types of sidewalk deficiencies and their priority for repair.

Objectives

5. Determine a predictive work plan for long run replacement of sidewalks.
6. Use various methods of evaluation and repair to ensure the most economical use of sidewalk funding.
7. Utilize alternative funding sources to construct new sidewalk.
8. Identify sidewalk enhancement projects as called for in the PlanBTV Walk/Bike Plan.

Inventory Management

- In 2014 Sally Swanson Architects was hired to perform data collection along entire sidewalk network
- Data collected using GPS technology
- Evaluated sidewalk for vertical offsets, cross slope, and running slope
- Provided GIS database of entire network



Used with permission of SSA

Barrier Score

- Determine level of deterioration of sidewalk segments
- Calculated empirically using GPS technology and data collector
- Categories based on PROWAG guidelines

Barrier Type	Weight	Quantity	Value	Score
Minor Heaving*	10	1-2 incidents	30%	3
		3-5 incidents	60%	6
		6 + incidents	100%	10
Major Heaving*	20	1-2 incidents	30%	6
		3-5 incidents	60%	12
		6 + incidents	100%	20
Cross Slope Low	2.5	10' or less	50%	1.25
		> 10'	100%	2.5
Cross Slope Medium	5	10' or less	50%	2.5
		> 10'	100%	5
Cross Slope High	15	10' or less	50%	7.5
		> 10'	100%	15
Running Slope Low	1.25	10' or less	50%	0.625
		> 10'	100%	1.25
Running Slope Medium	2.5	10' or less	50%	1.25
		> 10'	100%	2.5
Running Slope High	5	10' or less	50%	2.5
		> 10'	100%	5
Puddles/Drainage	25	1-2 incidents	50%	12.5
		3+ incidents	100%	25

*Minor heaving is an offset of 0.25 in to 0.5 in, Major heaving is anything over 0.5 in

Barrier Score Examples

54.75/86.25



Converse Court

Theoretical highest score: 86.25
Actual highest score: 67.375

3.75/86.25



Browns Court

Activity Score

- Formerly the Pedestrian Propensity (Potential) Index



Sidewalk Condition Index (SCI)

- Also known as the Priority Score
- Combination of Activity Score and Barrier Score
- Used to create work plan for sidewalk reconstruction

a = Activity Score

b = Barrier Score

p = Priority Score

$$\begin{array}{ll} \text{If } a \leq 2b; & p = b + a \\ \text{If } a > 2b; & p = b + 2b \end{array}$$

Questions

Barrier Type	Weight	Quantity	Value	Score
Minor Heaving*	10	1-2 incidents	30%	3
		3-5 incidents	60%	6
		6 + incidents	100%	10
Major Heaving*	20	1-2 incidents	30%	6
		3-5 incidents	60%	12
		6 + incidents	100%	20
Cross Slope Low	2.5	10' or less	50%	1.25
		> 10'	100%	2.5
Cross Slope Medium	5	10' or less	50%	2.5
		> 10'	100%	5
Cross Slope High	15	10' or less	50%	7.5
		> 10'	100%	15
Running Slope Low	1.25	10' or less	50%	0.625
		> 10'	100%	1.25
Running Slope Medium	2.5	10' or less	50%	1.25
		> 10'	100%	2.5
Running Slope High	5	10' or less	50%	2.5
		> 10'	100%	5
Puddles/Drainage	25	1-2 incidents	50%	12.5
		3+ incidents	100%	25

*Minor heaving is an offset of 0.25 in to 0.5 in, Major heaving is anything over 0.5 in

Criteria Layer	Sub Category	Weight	Category	Value	Score
Streets	Arterial	10	Adjacent Arterial Street	100%	10
	Collector		Adjacent Collector Street	50%	5
	Local		Adjacent Local Street	25%	2.5
Transit Stops		10	Within 1/4 mile of a transit stop	100%	10
Schools	Elementary School	12	Within 1/4 mile of elementary school	100%	12
	Middle or High School		Within 1/2 mile of middle or high school	100%	12
	College		Within 1 mile of a college	100%	12
Parks/Path	Large	10	Within 1/2 mile of Park	100%	10
	Medium		Within 1/2 mile of Park	100%	10
	Small		Within 1/4 mile of Park	100%	10
City Attractors	Downtown Designation	12	Within 1/4 mile of Downtown Area	100%	12
	Neighborhood Activity Center		Within 1/4 mile of Neighborhood Activity Center	100%	12
Pedestrian Generators	Senior Center	12	Within 1/4 mile of a Senior Center	100%	12
	Community Center		Within 1/4 mile of Community Center	100%	12
	Employment Center Large		Within 1/2 mile of Large Employer	100%	12
	Employment Center Medium		Within 1/4 mile of Medium Employer	100%	12
	Medical or Social Services		Within 1/4 mile of Medical or Social Services	100%	12
Population Density		12	Categories need to be set on case by case basis. Break data into 4 categories loosely based on "Natural Breaks" classification.	0%	0
				30%	3.6
				60%	7.2
				100%	12
Elderly Population Density		12	Categories need to be set on case by case basis. Break data into 4 categories loosely based on "Natural Breaks" classification.	0%	0
				30%	3.6
				60%	7.2
				100%	12
No Sidewalk		10	Adjacent incorporated street with no Sidewalk	100%	10

Example Case 1: St Paul Street

Activity Score = 43
Barrier Score = 66.25

In this case, the activity score is less than twice the barrier score, therefore the equation uses the true activity score

$$66.25 + 43 = 109.25$$

Priority Score = 109.25



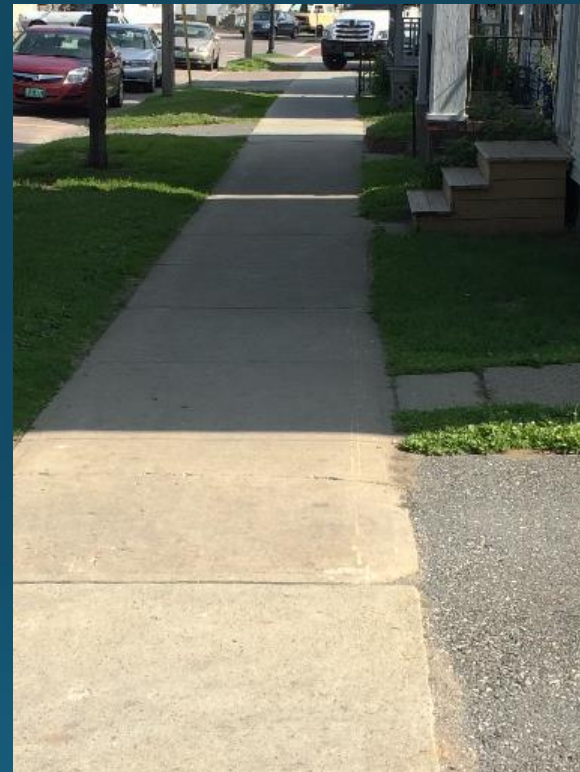
Example Case 2: N Winooski Avenue

Activity Score = 86
Barrier Score = 6.875

In this case, the activity score is more than twice the barrier score, therefore it is limited to twice the barrier score.

$$6.875 + 2 * 6.875 = 20.625$$

Priority Score = 20.625



Example Case 3: Austin Drive

Activity Score = 21.5
Barrier Score = 64.25

In this case, the activity score is more than twice the barrier score, therefore it is limited to twice the barrier score.

$$21.5 + 64.25 = 85.75$$

Priority Score = 85.75

Note: Activity score alone for N Winooski ranks that sidewalk higher than this section



Long Run Repairs

- Primary type of repair
- Deficiencies exist in more than 30% of sidewalk segment
- Replace majority of sidewalk segment to achieve a barrier score of zero



Lakeview Terrace

Short Run Repairs

- Secondary type of repair
- Deficiencies exist in less than 30% of sidewalk segment
- Replace small segments of sidewalk containing deficiencies to improve priority score



North Street

Alternative Repairs (Sawcutting)



College St and Central St



Sawcutting Process



Conger Ave

Safety Hazards

Cross Slope
>10%



South Union Street

>2" Vertical
Offset



Hyde Street

>1" Offset Within Slab

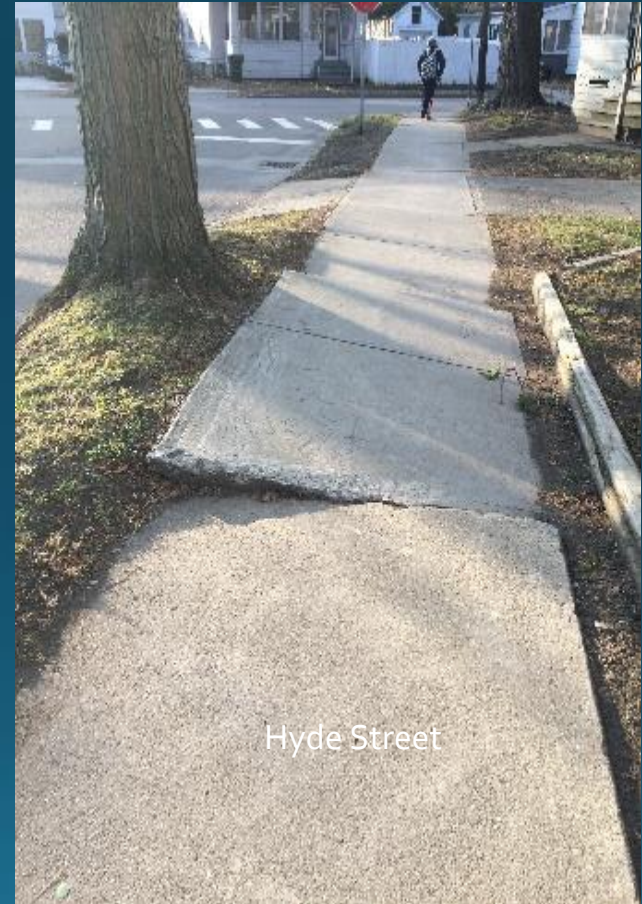


Marble Avenue

Additional Safety Hazards

- A sidewalk panel rocks when walked across.
- The panel is producing granular material in such quantity and size that it is causing a tripping hazard. (>1" diameter pieces)
- Large unstable broken chunks of sidewalk
- There is a gap between panels 2" or greater with some amount of vertical displacement
- Running Slope greater than 20% or greater than 11% from road grade

Combination Hazard



Creation of the Work Plan

- Utilize GIS to create a master map that includes SCI and all sidewalk RFS's
- Develop graphical output and accompanying work plan for Right-of-Way crews to follow



Creation of the Work Plan

- Each sidewalk segment is input into the map.
- Segments colors are then displayed based on their priority score.
- Red is the highest priority; green is the lowest.



Creation of the Work Plan

- All Requests for Service (RFS) are recorded and geocoded into the map.
- Red points represent safety hazards
- Yellow points represent non-safety replacements



Creation of the Work Plan

- Clusters of red points and segments show high priority repair areas.
- A work plan layer is then added to the map.
- Allows for coordination of work with other departments.



Funding Impacts

➤ Annual funding for maintenance

➤ Program needs \$750,000 to be considered moderately funded

➤ Program needs \$1.5m to be considered sustainably funded

➤ Alternative repairs like saw cutting are allocated from the Long Run Budget

Modestly/Sustainably Funded Program Budget Breakdown

Types of Repair	Percent of Funds Allocated
Long Runs	≥ 75%
Short Runs	≤ 10%
Safety Hazard	≤ 15%

Minimally Funded Program Budget Breakdown

Types of Repair	Percent of Funds Allocated
Long Runs	≥ 40%
Short Runs	≤ 15%
Safety Hazard	≤ 45%

Questions



Steve Goodkind
645 Pine Street
Burlington, Vermont 05401

Aug 22, 2013
PUBLIC

Re: 1-7 Johnson Street

I had a problem in Apartment 1A Johnson Street with a bad Electric- Back wired outlet. This was replaced, along with all the other back- wired outlets in the apartment. At this time the Electric Inspector suggested, but did not require that all the back- wired outlets in the other seven apartments be replaced. After hiring three electricians and other persons to move beds, dressers, and etc., and also spending over \$3,000, all back- wired outlets were replaced. I agreed that this needed to be done and was an excellent suggestion. In the process of closing out the electrical permit, the inspector noticed that the ground wires did not have the green wire nuts on them, and is now requiring that we install the green wire nuts on all the outlets. If this were done, it would require spending approximately the same amount of time and money as it took to replace all of the outlets. Not only would this result in another large expenditure of time and money; it should not be done, because it could result in degrading the grounding system in the whole building.

This building was rewired about 30 years ago using romex wire. All the ground wires were put together using about eight tightly, twisted turns in each outlet box. All the outlets now test perfect. Installing green wire nuts at this time would require removing the single ground wire from each outlet screw, straighten the wire using lineman's pliers; installing the green wirenut over the ground wire, then bending the wire again to fit around the grounding screw. This double bending of the ground wire could cause a weak spot in the wire at the ground screw and jeopardize the ground connection. If a break in the short grounding wire did happen and the wire had to be cut to eliminate the break, it would be too short to attach to the grounding screw.

The only problem in this 30 year old wiring job has been the inferior back-wired outlets which were installed at that time, and have now been replaced.

We are sending you this letter to appeal the Electrical Inspector's order to install green wire nuts to the already ground connections.

Thank you.

Richard A. Rooney
Richard A. Rooney, Landlord

Roland Levesque, Electrician

Roland Levesque
SM-1960

RICHARD A. ROONEY
P.O. BOX 3243
BURLINGTON, VT 05408
862-7386



FS-2440

8-23-13: Mr. Rooney called for Steve. B/c it's Steve's last day, Steve wasn't sure he would be able to address this issue. He said that the appeal period is most likely passed, & perhaps Shelley could help.

I relayed the message to Mr. Rooney & told him I would forward this letter to Shelley though Mr. Rooney said she probably wouldn't be able to help him.

Helen Plumley

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

1122-2 1122-2
1122-2 1122-2
1122-2 1122-2



9590 9402 1443 5329 8598 15

2. Article Number (Transfer from service label)

7015 0640 0003 0628 2820

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) 1122-2 1122-2 C. Date of Delivery 5-16-16

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type

☐ Adult Signature ☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery ☐ Registered Mail™
☐ Certified Mail® ☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery ☐ Return Receipt for Merchandise
☐ Collect on Delivery ☐ Signature Confirmation™
☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery
☐ Insured Mail ☐ Signature Confirmation Restricted Delivery (over \$500)

Domestic Return Receipt

[English](#)[Customer Service](#)[USPS Mobile](#)[Register / Sign In](#)

Search or Enter a Tracking Number

[Value Mail](#)[First-Class Mail](#)[Priority Mail](#)[Signature Mail](#)[Registered Mail](#)[Insurance](#)

USPS Tracking®



Have questions? We're here to help.



Sign up for My USPS.

70150640000306282820

Friday, May 13, 2016

Postal Product:

Features:
Certified Mail™

DATE AND TIME

STATUS AND EVENT

LOCATION

May 16, 2016 , 4:32 pm

BURLINGTON, VT 05408

✓ Mail was delivered at 4:03 pm (05/16/2016) in BURLINGTON, VT 05408

May 14, 2016 , 7:56 am	Available for Pickup	BURLINGTON, VT 05408
May 13, 2016 , 7:56 am	Out for Delivery	BURLINGTON, VT 05401
May 13, 2016 , 7:52 am	Arrived at Unit	BURLINGTON, VT 05408
May 13, 2016 , 7:46 am	Sorting Complete	BURLINGTON, VT 05401
May 13, 2016 , 2:32 am	Departed USPS Facility	ESSEX JUNCTION, VT 05452
May 11, 2016 , 7:04 pm	Arrived at USPS Facility	ESSEX JUNCTION, VT 05452

Tracking (or receipt) number

Track all your packages from a dashboard.
No tracking numbers necessary.[USPS®](#)[Contact Us](#)[Site Index](#)[FAQs](#)

together and to the supply system grounded equipment in a manner that creates a low-impedance path for ground-fault current that is capable of carrying the maximum fault current likely to be imposed on it.

(3) Bonding of Electrically Conductive Materials and Other Equipment. Electrically conductive materials that are likely to become energized shall be connected together and to the supply system grounded equipment in a manner that creates a low-impedance path for ground-fault current that is capable of carrying the maximum fault current likely to be imposed on it.

(4) Path for Fault Current. Electrical equipment, wiring, and other electrically conductive material likely to become energized shall be installed in a manner that creates a low-impedance circuit from any point on the wiring system to the electrical supply source to facilitate the operation of overcurrent devices should a second ground fault from a different phase occur on the wiring system. The earth shall not be considered as an effective fault-current path.

250.6 Objectionable Current.

(A) Arrangement to Prevent Objectionable Current. The grounding of electrical systems, circuit conductors, surge arresters, surge-protective devices, and conductive normally non-current-carrying metal parts of equipment shall be installed and arranged in a manner that will prevent objectionable current.

(B) Alterations to Stop Objectionable Current. If the use of multiple grounding connections results in objectionable current, one or more of the following alterations shall be permitted to be made, provided that the requirements of 250.4(A)(5) or (B)(4) are met:

- (1) Discontinue one or more but not all of such grounding connections.
- (2) Change the locations of the grounding connections.
- (3) Interrupt the continuity of the conductor or conductive path causing the objectionable current.
- (4) Take other suitable remedial and approved action.

(C) Temporary Currents Not Classified as Objectionable Currents. Temporary currents resulting from abnormal conditions, such as ground faults, shall not be classified as objectionable current for the purposes specified in 250.6(A) and (B).

(D) Limitations to Permissible Alterations. The provisions of this section shall not be considered as permitting electronic equipment from being operated on ac systems or branch circuits that are not connected to an equipment grounding conductor as required by this article. Currents that introduce noise or data errors in electronic equipment

shall not be considered the objectionable currents addressed in this section.

(E) Isolation of Objectionable Direct-Current Ground Currents. Where isolation of objectionable dc ground currents from cathodic protection systems is required, a listed ac coupling/dc isolating device shall be permitted in the equipment grounding conductor path to provide an effective return path for ac ground-fault current while blocking dc current.

250.8 Connection of Grounding and Bonding Equipment.

(A) Permitted Methods. Equipment grounding conductors, grounding electrode conductors, and bonding jumpers shall be connected by one of the following means:

- (1) Listed pressure connectors
- (2) Terminal bars
- (3) Pressure connectors listed as grounding and bonding equipment
- (4) Exothermic welding process
- (5) Machine screw-type fasteners that engage not less than two threads or are secured with a nut
- (6) Thread-forming machine screws that engage not less than two threads in the enclosure
- (7) Connections that are part of a listed assembly
- (8) Other listed means

(B) Methods Not Permitted. Connection devices or fittings that depend solely on solder shall not be used.

250.10 Protection of Ground Clamps and Fittings. Ground clamps or other fittings shall be approved for general use without protection or shall be protected from physical damage as indicated in (1) or (2) as follows:

- (1) In installations where they are not likely to be damaged
- (2) Where enclosed in metal, wood, or equivalent protective covering

250.12 Clean Surfaces. Nonconductive coatings (such as paint, lacquer, and enamel) on equipment to be grounded shall be removed from threads and other contact surfaces to ensure good electrical continuity or be connected by means of fittings designed so as to make such removal unnecessary.

II. System Grounding

250.20 Alternating-Current Systems to Be Grounded. Alternating-current systems shall be grounded as provided for in 250.20(A), (B), (C), or (D). Other systems shall be permitted to be grounded. If such systems are grounded, they shall comply with the applicable provisions of this article.

ing of exposed surfaces shall be installed so that room airflow over such surfaces is not prevented by walls or by adjacent installed equipment. For equipment designed for floor mounting, clearance between top surfaces and adjacent surfaces shall be provided to dissipate rising warm air.

Electrical equipment provided with ventilating openings shall be installed so that walls or other obstructions do not prevent the free circulation of air through the equipment.

110.14 Electrical Connections. Because of different characteristics of dissimilar metals, devices such as pressure terminal or pressure splicing connectors and soldering lugs shall be identified for the material of the conductor and shall be properly installed and used. Conductors of dissimilar metals shall not be intermixed in a terminal or splicing connector where physical contact occurs between dissimilar conductors (such as copper and aluminum, copper and copper-clad aluminum, or aluminum and copper-clad aluminum), unless the device is identified for the purpose and conditions of use. Materials such as solder, fluxes, inhibitors, and compounds, where employed, shall be suitable for the use and shall be of a type that will not adversely affect the conductors, installation, or equipment.

Connectors and terminals for conductors more finely stranded than Class B and Class C stranding as shown in Chapter 9, Table 10, shall be identified for the specific conductor class or classes.

Informational Note: Many terminations and equipment are marked with a tightening torque.

(A) Terminals. Connection of conductors to terminal parts shall ensure a thoroughly good connection without damaging the conductors and shall be made by means of pressure connectors (including set-screw type), solder lugs, or splices to flexible leads. Connection by means of wire-binding screws or studs and nuts that have upturned lugs or the equivalent shall be permitted for 10 AWG or smaller conductors.

Terminals for more than one conductor and terminals used to connect aluminum shall be so identified.

(B) Splices. Conductors shall be spliced or joined with splicing devices identified for the use or by brazing, welding, or soldering with a fusible metal or alloy. Soldered splices shall first be spliced or joined so as to be mechanically and electrically secure without solder and then be soldered. All splices and joints and the free ends of conductors shall be covered with an insulation equivalent to that of the conductors or with an insulating device identified for the purpose.

Wire connectors or splicing means installed on conductors for direct burial shall be listed for such use.

(C) Temperature Limitations. The temperature rating associated with the ampacity of a conductor shall be selected

and coordinated so as not to exceed the lowest temperature rating of any connected termination, conductor, or device. Conductors with temperature ratings higher than specified for terminations shall be permitted to be used for ampacity adjustment, correction, or both.

(1) Equipment Provisions. The determination of termination provisions of equipment shall be based on 110.14(C)(1)(a) or (C)(1)(b). Unless the equipment is listed and marked otherwise, conductor ampacities used in determining equipment termination provisions shall be based on Table 310.15(B)(16) as appropriately modified by 310.15(B)(6).

(a) Termination provisions of equipment for circuits rated 100 amperes or less, or marked for 14 AWG through 1 AWG conductors, shall be used only for one of the following:

- (1) Conductors rated 60°C (140°F).
- (2) Conductors with higher temperature ratings, provided the ampacity of such conductors is determined based on the 60°C (140°F) ampacity of the conductor size used.
- (3) Conductors with higher temperature ratings if the equipment is listed and identified for use with such conductors.
- (4) For motors marked with design letters B, C, or D, conductors having an insulation rating of 75°C (167°F) or higher shall be permitted to be used, provided the ampacity of such conductors does not exceed the 75°C (167°F) ampacity.

(b) Termination provisions of equipment for circuits rated over 100 amperes, or marked for conductors larger than 1 AWG, shall be used only for one of the following:

- (1) Conductors rated 75°C (167°F)
- (2) Conductors with higher temperature ratings, provided the ampacity of such conductors does not exceed the 75°C (167°F) ampacity of the conductor size used, or up to their ampacity if the equipment is listed and identified for use with such conductors

(2) Separate Connector Provisions. Separately installed pressure connectors shall be used with conductors at the ampacities not exceeding the ampacity at the listed and identified temperature rating of the connector.

Informational Note: With respect to 110.14(C)(1) and (C)(2), equipment markings or listing information may additionally restrict the sizing and temperature ratings of connected conductors.

110.15 High-Leg Marking. On a 4-wire, delta-connected system where the midpoint of one phase winding is grounded, only the conductor or busbar having the higher phase voltage to ground shall be durably and permanently marked by an outer finish that is orange in color or by other

TO BURLINGTON CODE ENFORCEMENT

I CERTIFY THAT ALL THE GROUND CONNECTIONS IN THE APARTMENT HOUSE

AT 1-7 JOHNSON STREET ARE SAFE AND SECURE.

ALL THE ELECTRICAL OUTLETS IN THE SIX GOVERNMENT SUBSIDIZED UNITS

IN THIS BUILDING HAVE PASSED INSPECTIONS BY THEIR SECTION 8 INSPECTORS.

ROLAND LEVESQUE

MASTER ELECTRICIAN

LICENSE NUMBER SM-1960

Roland Levesque DATE 4/5/2016

RICHARD A. ROONEY, LANDLORD

Richard A Rooney DATE 4/5/2016



City of Burlington
Department of Public Works
Office of Planning
645 Pine Street, Suite A
Burlington, VT 05402
802.863.9094 P
802.863.0466 F
802.863.0450 TTY
www.burlingtonvt.GOV

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Norman J. Baldwin, P.E.
*ASSISTANT DIRECTOR OF PUBLIC
WORKS*

**City of Burlington
City Engineer
Appeal of Electrical Inspector Order**

This appeal by Richard Rooney of a decision by Burlington electrical inspector Shelley Warren regarding EP 2011-140410 for work done at 1-7 Johnson St. has come to the City Engineer pursuant to § 12-9 of the Burlington Code of Ordinances (BCO). The previous Electrical Inspector, Shelley Warren had noted improper splicing of the grounding conductors to the various receptacles throughout the building and had refused to close the permit until the deficiencies were corrected. In response to Electrical Inspector Shelley Warren's order, Mr. Rooney submitted his appeal to the attention of the City Engineer.

Since receiving the appeal Electrical Inspector Shelley Warren had resigned her position and her replacement Electrical Inspector Tim Hennessey assumed her duties. Prior to hearing the appeal, Inspector Tim Hennessey was asked to review the file and render a determination to continue with the order or to agree with the appellant and close the permit. Electrical Inspector Hennessey determined he was in agreement with Electrical Inspector Warren's order and would continue forward with defending the order and Mr. Rooney elected to continue with his appeal.

As such the appeal hearing was held on April 5, 2016.

Mr. Rooney and Master Electrician Roland Levesque testified and provided evidence in support of Rooney's appeal

Mr. Rooney's appeal is based on two arguments, (1) that the electrical code was wrong to allow the back stabbed connections that were present in the units before the work was done, and he shouldn't be made to bring the work that was done to replace the backstab connections into compliance with the code, and (2) that the grounding system passed a

An Equal Opportunity Employer
This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.9094 (voice) or 802.863.0450 (TTY).

grounding resistance test so there is no need to have the work done in compliance with the code's requirements..

Inspector Hennessey testified on his own behalf and also presented evidence. Electrical Inspector Hennessey referenced Article 110, section 110.14(B) of the National Electrical Code currently adopted by the state of Vermont.

The following documents were submitted and considered as evidence: a letter of appeal from Rooney; a certification from licensed electrician Roland Levesque on the safety of the ground connections; and a copy of the National Electrical Code section on electrical connections

Findings

Based on the undisputed evidence, I find that:

1. New outlets were installed under EP # 2011-140410.
2. The connections of the grounds to the outlets were made by twisting the circuit grounding wire to the grounding wire to the receptacle in a tightly wound counter-clockwise direction.
3. The electrical inspectors, first Shelly Warren and now Tim Hennessey, found that the twisted wire connections violated the electrical code in effect at the time the work was done. They ordered that the connections be made code compliant and have not closed the permit.
4. Mr. Rooney appealed this order and asked that no changes be made to the wiring.
5. BCO § 12-1 adopts the National Electrical Code (NEC) currently adopted by the state of Vermont as the City's adopted electrical code.
6. The 2011 NEC is the adopted code that is applicable to this appeal.
7. Section 110.14(B) of the 2011 NEC requires conductors to be spliced or joined with splicing devices for the use or by brazing, welding, or soldering with a fusible metal or alloy.
8. The work making the connections in the conductors under EP # 2011-140410 are not compliant with the electrical code.
9. The non-compliance was not disputed by Rooney and was agreed to by Levesque. Mr. Rooney does not care about the code; in his words, "I don't give a damn about the Code."
10. The applicable code allows the connections to be made by a barrel connector that slides over the wires and can be crimped. This means of connection can be used on the connections in these apartments and using it would eliminate the need to undo the existing connections. It would not loosen the connections. It would make the electrical system safer if the connections were spliced correctly, in addition to making the connections code compliant.
11. The inspections done by the Burlington Housing Inspectors are irrelevant to this appeal. The inspectors did not inspect to the applicable electrical code. They did not inspect the work done under EP # 2011-140410 for compliance with the code. They did not open up the outlets to examine the connections for compliance with the code.

Conclusions

Inspector Hennessey's decision is supported by the findings and the code and should be upheld. The code requires that new electrical work be done in conformance with

the adopted electrical code. The connections to the new outlets that were installed under EP # 2011-140410 were new electrical work. The code does not accept the twisted wire method of connection used by in the installation of the outlets; the work must be made code compliant. There is a simple means of making the work code compliant which will not cause the existing connections to be made unsafe. Section 12-9 allows the City Engineer to modify the inspector's order but any modification must fall within the express or necessarily implied provisions of the code. The code does not allow the method of connection in the outlets. There is no reasonable basis to vacate or modify Hennessey's decision, which was and is a correct application of the adopted electrical code.

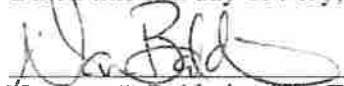
Decision

For the reasons stated above, I, Norman Baldwin, City Engineer for the City of Burlington, uphold the order of Electrical Inspector Tim Hennessey requiring Mr. Rooney to bring the work done on EP # 2011-140410 into compliance with the National Electrical Code's requirement on electrical connections.

Appeal Rights

Pursuant to BCO § 12-9(c), a person aggrieved by this decision may request that this appeal be heard by the Public Works Commission for review under BCO § 8-8. Section 8-8(a) requires that an appeal be made by filing a notice of appeal stating in detail the grievances with the decision. This notice must be filed with the administrator of the Department of Public Works within ten (10) days of receiving actual notice of this decision.

Dated this 3rd day of May, 2016 in Burlington, VT.



Norman J. Baldwin, City Engineer
City of Burlington, VT



CITY OF BURLINGTON - DEPARTMENT OF PUBLIC WORKS

Request
2440

SERVICE REQUEST

**Name and
Address**

Name: Richard Rooney

Request Date: 08/22/2013 10:08 AM

Due Date: 9/21/2013

Address: PO Box 3243

Phone Number: 862-7386

Email Address:

Request

Location: 1A Johnson Street

Request Description: Appealing decision about Shelley for Electrical Work
that needs to be done**Assign History****Date****Assigned To****Description**

8/22/2013 10:08:49 AM

Norm Baldwin

Request Assigned

Work History**Customer
Service**

Status: New

Request created by: Holly Lane

Print Date: 8/22/2013 10:15:20 AM

Steve Goodkind
645 Pine Street
Burlington, Vermont 05401

Aug 22, 2013

Re: 1-7 Johnson Street

I had a problem in Apartment 1A Johnson Street with a bad Electric- Back wired outlet. This was replaced, along with all the other back- wired outlets in the apartment. At this time the Electric Inspector suggested, but did not require that all the back- wired outlets in the other seven apartments be replaced. After hiring three electricians and other persons to move beds, dressers, and etc., and also spending over \$3,000, all back- wired outlets were replaced. I agreed that this needed to be done and was an excellent suggestion. In the process of closing out the electrical permit, the inspector noticed that the ground wires did not have the green wire nuts on them, and is now requiring that we install the green wire nuts on all the outlets.

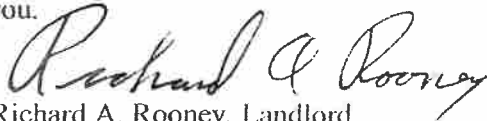
If this were done, it would require spending approximately the same amount of time and money as it took to replace all of the outlets. Not only would this result in another large expenditure of time and money; it should not be done, because it could result in degrading the grounding system in the whole building.

This building was rewired about 30 years ago using romex wire. All the ground wires were put together using about eight tightly, twisted turns in each outlet box. All the outlets now test perfect. Installing green wire nuts at this time would require removing the single ground wire from each outlet screw, straighten the wire using lineman's pliers, installing the green wirenut over the ground wire, then bending the wire again to fit around the grounding screw. This double bending of the ground wire could cause a weak spot in the wire at the ground screw and jeopardize the ground connection. If a break in the short grounding wire did happen and the wire had to be cut to eliminate the break, it would be too short to attach to the grounding screw.

The only problem in this 30 year old wiring job has been the inferior back-wired outlets which were installed at that time, and have now been replaced.

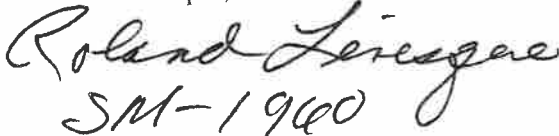
We are sending you this letter to appeal the Electrical Inspector's order to install green wire nuts to the already ground connections.

Thank you.



Richard A. Rooney, Landlord

Roland Levesque, Electrician


SM-1940

RICHARD A. ROONEY
P.O. BOX 3243
BURLINGTON, VT 05408
862-7386

PR-2-2

TO BURLINGTON CODE ENFORCEMENT

I CERTIFY THAT ALL THE GROUND CONNECTIONS IN THE APARTMENT HOUSE
AT 1-7 JOHNSON STREET ARE SAFE AND SECURE.

ALL THE ELECTRICAL OUTLETS IN THE SIX GOVERNMENT SUBSIDIZED UNITS
IN THIS BUILDING HAVE PASSED INSPECTIONS BY THEIR SECTION 8 INSPECTORS.

ROLAND LEVESQUE

MASTER ELECTRICIAN

LICENSE NUMBER SM-1960

Roland Levesque DATE 4/5/2016

RICHARD A. ROONEY, LANDLORD

Richard A. Rooney DATE 4/5/2016

ing of exposed surfaces shall be installed so that room airflow over such surfaces is not prevented by walls or by adjacent installed equipment. For equipment designed for floor mounting, clearance between top surfaces and adjacent surfaces shall be provided to dissipate rising warm air.

Electrical equipment provided with ventilating openings shall be installed so that walls or other obstructions do not prevent the free circulation of air through the equipment.

110.14 Electrical Connections. Because of different characteristics of dissimilar metals, devices such as pressure terminal or pressure splicing connectors and soldering lugs shall be identified for the material of the conductor and shall be properly installed and used. Conductors of dissimilar metals shall not be intermixed in a terminal or splicing connector where physical contact occurs between dissimilar conductors (such as copper and aluminum, copper and copper-clad aluminum, or aluminum and copper-clad aluminum), unless the device is identified for the purpose and conditions of use. Materials such as solder, fluxes, inhibitors, and compounds, where employed, shall be suitable for the use and shall be of a type that will not adversely affect the conductors, installation, or equipment.

Connectors and terminals for conductors more finely stranded than Class B and Class C stranding as shown in Chapter 9, Table 10, shall be identified for the specific conductor class or classes.

Informational Note: Many terminations and equipment are marked with a tightening torque.

(A) Terminals. Connection of conductors to terminal parts shall ensure a thoroughly good connection without damaging the conductors and shall be made by means of pressure connectors (including set-screw type), solder lugs, or splices to flexible leads. Connection by means of wire-binding screws or studs and nuts that have upturned lugs or the equivalent shall be permitted for 10 AWG or smaller conductors.

Terminals for more than one conductor and terminals used to connect aluminum shall be so identified.

(B) Splices. Conductors shall be spliced or joined with splicing devices identified for the use or by brazing, welding, or soldering with a fusible metal or alloy. Soldered splices shall first be spliced or joined so as to be mechanically and electrically secure without solder and then be soldered. All splices and joints and the free ends of conductors shall be covered with an insulation equivalent to that of the conductors or with an insulating device identified for the purpose.

Wire connectors or splicing means installed on conductors for direct burial shall be listed for such use.

(C) Temperature Limitations. The temperature rating associated with the ampacity of a conductor shall be selected

and coordinated so as not to exceed the lowest temperature rating of any connected termination, conductor, or device. Conductors with temperature ratings higher than specified for terminations shall be permitted to be used for ampacity adjustment, correction, or both.

(1) Equipment Provisions. The determination of termination provisions of equipment shall be based on 110.14(C)(1)(a) or (C)(1)(b). Unless the equipment is listed and marked otherwise, conductor ampacities used in determining equipment termination provisions shall be based on Table 310.15(B)(16) as appropriately modified by 310.15(B)(6).

(a) Termination provisions of equipment for circuits rated 100 amperes or less, or marked for 14 AWG through 1 AWG conductors, shall be used only for one of the following:

- (1) Conductors rated 60°C (140°F).
- (2) Conductors with higher temperature ratings, provided the ampacity of such conductors is determined based on the 60°C (140°F) ampacity of the conductor size used.
- (3) Conductors with higher temperature ratings if the equipment is listed and identified for use with such conductors.
- (4) For motors marked with design letters B, C, or D, conductors having an insulation rating of 75°C (167°F) or higher shall be permitted to be used, provided the ampacity of such conductors does not exceed the 75°C (167°F) ampacity.

(b) Termination provisions of equipment for circuits rated over 100 amperes, or marked for conductors larger than 1 AWG, shall be used only for one of the following:

- (1) Conductors rated 75°C (167°F)
- (2) Conductors with higher temperature ratings, provided the ampacity of such conductors does not exceed the 75°C (167°F) ampacity of the conductor size used, or up to their ampacity if the equipment is listed and identified for use with such conductors

(2) Separate Connector Provisions. Separately installed pressure connectors shall be used with conductors at the ampacities not exceeding the ampacity at the listed and identified temperature rating of the connector.

Informational Note: With respect to 110.14(C)(1) and (C)(2), equipment markings or listing information may additionally restrict the sizing and temperature ratings of connected conductors.

110.15 High-Leg Marking. On a 4-wire, delta-connected system where the midpoint of one phase winding is grounded, only the conductor or busbar having the higher phase voltage to ground shall be durably and permanently marked by an outer finish that is orange in color or by other

4/2/76

Robert Lavoie
Dick Roney
Tim Henrich
Gene Borgman

At Burlington Housing Authority, use tester
to check polarity.

can sell out borrow money as flat.

wire twisted in a counter clockwise
crimp not a twisted wire

How much to put on barrel connectors \$4.5K

How many units &.

Receptacles in each unit 30 approximately in each unit
240 total
(240)(15) 3 weeks going

May 23, 2016

To Chapin Spencer

Director of Public Works

I am requesting an appeal of Norm Baldwin's decision not to close out the electrical permit at 1-7 Johnson Street.

The tightly twisted ground wires that were in the outlet boxes were not disturbed when the defective backwired outlets were replaced.

The Electrical System which includes the grounding system has been approved by my electrician and the Section 8 Inspectors which represent the State of Vermont and the U.S. Government.

The method of twisting the ground wires together in several tightly twisted turns was the procedure used several years ago. Shelley Warren, the Electrical Inspector, told me the Electrical Code does not require you to replace the defective backwired outlets. She told me I cannot make you change the outlets but I strongly recommend that you do it.


I agreed it was a good idea and changed all the outlets. The code was going to allow the defective outlets to remain in service, which was clearly a FIRE HAZARD. All outlets now test normal.

I am being penalized for correcting a FIRE HAZARD, by not closing out my Electrical Permit by referring to a electrical code that would allow a very serious Fire Hazard to exist.

This Electrical Code should be modified to require an Electrical Inspector, who has knowledge of a Fire Hazard, to mandate corrective action be taken immediately to eliminate the Fire Hazard.

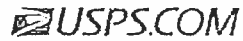
This was the case of 1-7 Johnson Street. The code would have allowed the Fire Hazard to exist.

Sincerely,



Richard A Rooney

RICHARD A. ROONEY
P.O. BOX 3243
BURLINGTON, VT 05408
862-7386

[English](#)[Customer Service](#)[USPS Mobile](#)[Register / Sign In](#)

Search or Enter a Tracking Number

[About USPS](#)[Privacy / Mailbox](#)[Terms of Service](#)[Business](#)[International](#)[Help](#)

USPS Tracking®



Have questions? We're here to help.



Sign up for My USPS.

70150640000306282851

Monday, June 6, 2016

Postal Product:

Features:
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
June 6, 2016 , 1:17 pm	Delivered	BURLINGTON, VT 05408
Your item was delivered at 1:17 pm on June 6, 2016 in BURLINGTON, VT 05408		
June 6, 2016 , 9:00 am	Available for Pickup	BURLINGTON, VT 05408
June 6, 2016 , 8:30 am	Out for Delivery	BURLINGTON, VT 05401
June 6, 2016 , 8:20 am	Sorting Complete	BURLINGTON, VT 05401
June 6, 2016 , 8:10 am	Arrived at Unit	BURLINGTON, VT 05401
June 3, 2016 , 9:49 pm	Departed USPS Facility	ESSEX JUNCTION, VT 05452
June 3, 2016 , 8:10 pm	Arrived at USPS Origin Facility	ESSEX JUNCTION, VT 05452
June 3, 2016 , 3:36 pm	Picked Up	BURLINGTON, VT 05401

Tracking (or receipt) number

Track all your packages from a dashboard.
No tracking numbers necessary.

NEED A TOOL?

[Contact Us](#)[Site Index](#)[FAQs](#)

COMPLETE THIS SECTION ON DELIVERY

- | | | |
|-------------------------------|---|------------------------------------|
| A. Signature |  | <input type="checkbox"/> Agent |
| B. Received by (Printed Name) | | <input type="checkbox"/> Addressee |
| | | C. Date of Delivery |

D. Is delivery address different from item 1? ☒ Yes
If YES, enter delivery address below: ☐ No

25

3
L
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
8



9590 9402 1443 5329 8599 59

2. Article Number (Transfer from service label)

7015 0640 0000 0490 5102 7582 8290

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street
Post Office Box 849
Burlington, Vermont 05402-0849
802.863.9094 VOX
802.863.0466 FAX
802.863.0450 TTY

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Norman J. Baldwin, P.E.
*ASSISTANT DIRECTOR OF PUBLIC WORKS
CITY ENGINEER*

June 2, 2016

Richard A. Rooney
P.O. Box 3243
Burlington, Vermont 05408

Sent: Certified Mail & Email

NOTICE OF HEARING

Pursuant to Burlington Code of Ordinances Chapter 12 Electricity, the **Public Works Commission** will hold a hearing related to an appeal of:

- The City Engineer May 3, 2016 decision to uphold the electrical Inspector's order related to 1-7 Johnson Street.

The appeal heard and upheld by the City Engineer, was associated with the Electrical Inspector identifying an electrical system installation deficiency for an electrical project at 1-7 Johnson Street. The Electrical Inspector had noted improper splicing of the grounding conductors to the various receptacles throughout the building, furthermore stating the electrical permit could not be closed until the splices were corrected.

The Public Works Commission is the second and next level of appeal for this order. The second stage of appeal is now being scheduled to be heard by the Public Works Commission, **6:30 p.m. on Wednesday, June 15, 2016 in the Front Conference Room of the Department of Public Works at 645 Pine Street** in Burlington, Vermont.

In order to expeditiously hear this appeal, the Commission needs and hereby notifies you as the appellant to provide it with a short and concise statement outlining the specific items to be heard and addressed by the Commission. This statement must also specify the factual or legal basis of the appeal.

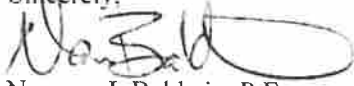
Each party will be given the opportunity to present the facts, as they believe them to be, and to make legal arguments. The Commission will hear testimony and take documentary evidence in support of each party's position.

You are welcome to provide supporting documentary evidence in advance of the hearing. **Witnesses must be present;** the Commission will not accept written statements from absent witnesses, even in affidavit form. The Commission will resolve disputed questions of fact and apply the law governing the situation to those facts. If you intend to present documentary evidence, please bring 8 copies of each document to the hearing.

If there are special circumstances as to why you cannot appear in person for a hearing, please call 863-9094. Postponement of your case will be permitted only for good cause. If settlement is reached, please notify the Commission immediately.

If you have any questions, please call 863-9094.

Sincerely,

A handwritten signature in dark ink, appearing to read 'N. Baldwin', written over a light gray rectangular background.

Norman J. Baldwin, P.E.

Ass't Director/City Engineer

C.C Eugene Bergman, Assistant City Attorney

Chapin Spencer, Director of Public Works

Valerie Ducharme, Customer Service Representative



CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS

645 Pine Street
Post Office Box 849
Burlington, Vermont 05402-0849
802.863.9094 VOX
802.863.0466 FAX
802.863.0450 TTY

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

Norman J. Baldwin, P.E.
ASSISTANT DIRECTOR OF PUBLIC WORKS
CITY ENGINEER

June 3, 2016

Richard A. Rooney
P.O. Box 3243
Burlington, Vermont 05408

Sent: Certified Mail & Email

NOTICE OF HEARING

Pursuant to Burlington Code of Ordinances Chapter 12 Electricity, the **Public Works Commission** will hold a hearing related to an appeal of:

- The City Engineer May 3, 2016 decision to uphold the electrical Inspector's order related to 1-7 Johnson Street.

The appeal heard and upheld by the City Engineer, was associated with the Electrical Inspector identifying an electrical system installation deficiency for an electrical project at 1-7 Johnson Street. The Electrical Inspector had noted improper splicing of the grounding conductors to the various receptacles throughout the building, furthermore stating the electrical permit could not be closed until the splices were corrected.

The Public Works Commission is the second and next level of appeal for this order. The second stage of appeal is now being scheduled to be heard by the Public Works Commission, **7:45 p.m. Time Certain on Wednesday, June 15, 2016 in the Front Conference Room of the Department of Public Works at 645 Pine Street** in Burlington, Vermont.

In order to expeditiously hear this appeal, the Commission needs and hereby notifies you as the appellant to provide it with a short and concise statement outlining the specific items to be heard and addressed by the Commission. This statement must also specify the factual or legal basis of the appeal.

Each party will be given the opportunity to present the facts, as they believe them to be, and to make legal arguments. The Commission will hear testimony and take documentary evidence in support of each party's position.

You are welcome to provide supporting documentary evidence in advance of the hearing. **Witnesses must be present**; the Commission will not accept written statements from absent witnesses, even in affidavit form. The Commission will resolve disputed questions of fact and apply the law governing the situation to those facts. If you intend to present documentary evidence, please bring 8 copies of each document to the hearing.

If there are special circumstances as to why you cannot appear in person for a hearing, please call 863-9094. Postponement of your case will be permitted only for good cause. If settlement is reached, please notify the Commission immediately.

If you have any questions, please call 863-9094.

Sincerely,

A handwritten signature in dark ink, appearing to read "Norm Baldwin", with a large, sweeping flourish at the end.

Norman J. Baldwin, P.E.

Ass't Director/City Engineer

C.C Eugene Bergman, Assistant City Attorney

Chapin Spencer, Director of Public Works

Valerie Ducharme, Customer Service Representative

Cash



Department of Public Works

ELECTRICAL PERMIT

645 Pine Street, Suite A

P.O. Box 849, Burlington, VT 05402

Telephone (802) 863-9094/ Fax (802) 863-0466

Working Together for Burlington - Preserving, Improving our Community

Permit No: 20 11 140410 00000 EP

Fees

\$20.00

Admin Fees \$.00

Recording Fees \$10.00

\$30.00

Date: 8/19/2011

Street Address: 1-7 Johnson ST

Estimated Cost \$1,000.00

Construction Starting Date: 8/19/2011

Owner

Tel No:

RICHARD A ROONEY

7 LAKEWOOD PW

BURLINGTON, VT05408

Electrical
Contractor

LEVESQUE ELECTRICAL SERVICE

Tel No: (802)644-2229

1975 BARTLETT BAY RD

JEFFERSONVILLE, VT

DESCRIPTION OF WORK

CODE ID: GFCI

Replace basement receps. with GFCI s. Replace receps through out house as needed due to "backwiring". Per NEC 2011

CONDITIONS OF PERMIT: All work performed by the applicant shall comply with the codes and ordinances of the City of Burlington. This permit authorizes the applicant to proceed with the work described above in accordance with these codes. This permit shall not be construed as authority to violate, cancel or set aside any of the provisions of the codes. The applicant must contact the department to schedule inspections of the work and obtain final project approval.

APPLICANT SIGNATURE:

LICENSE #:

SM-1960

☐ CALL FOR ROUGH INSPECTION

☒ CALL FOR FINAL INSPECTION

Inspector

8-19-11

Date

PLEASE DO NOT WRITE IN THE SPACES BELOW

INSPECTIONS

[illegible]

REMARKS

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

"I hereby certify that I have inspected the work herein described and have approved the same."

INSPECTOR _____ Date Approved _____

8-8 Appeals from order.

(a) Any owner of a building or structure, or any other interested person, including any official of the city, may appeal to the board of appeals any action or failure to act by a building inspector, except as provided in Section 8-47 in an abatement action. A request for appeal shall be made by filing a notice of appeal with the administrator of the department of public works within ten (10) days of receiving actual notice of the order or action complained of setting forth in detail his or her grievances. The administrator of the department of public works shall notify the chairperson of the appeals board of the notice of appeal forthwith. The board shall meet upon notice of the chairperson within forty-five (45) days of the filing of the notice of appeal. All hearings shall be public, and all interested parties shall be given an opportunity to be heard and to present evidence and arguments.

(b) The board of appeals shall consist of the members of the public works commission and shall each have terms on the board of appeals concurrent with their individual terms as commissioners.

The board shall select one (1) of its members to serve as secretary chair who shall call and chair meetings and who shall keep a detailed record of all proceedings on file.

A member of the board shall not pass on any question in which that member has any fiduciary, personal, or financial interest, or which otherwise constitutes a conflict of interest.

(c) Four (4) members of the board must be present to constitute a quorum. That board shall affirm, modify or reverse an action appealed by a majority vote of the members present. A tie vote shall be an affirmation of the decision from which the appeal is taken. The board shall give written notice of its decision, which shall include findings of fact and all necessary orders, to all interested parties no later than thirty (30) days after the date of the hearing. The building inspector may take action in accordance with the decision of the board immediately upon the sending of the written decision to all interested parties.

(d) Any interested person may appeal a decision of the board of appeals by instituting relief in the Chittenden Superior Court under V.R.C.P. 74

(Rev. Ords. 1962, § 706; Ord. of 10-18-82; Ord. of 5-23-83; Ord. of 9-24-84; Ord. of 1-11-93; Ord. of 5-20-13)

12-1 Code adopted.

(a) For the purpose of establishing uniform rules and regulations for electrical wiring and apparatus, the city hereby adopts that code known as the National Electric Code, as currently adopted by the State of Vermont. There is also adopted those codes known as the National Electrical Safety Code, as currently adopted by the State of Vermont, the Lightning Protection Code, as currently adopted by the State of Vermont, and the Residential Safety Code, as currently adopted by the State of Vermont. The city also adopts the set of rules known as The Vermont Electrical Safety Rules as currently adopted and amended from time to time hereafter. The same are hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling in the construction or alteration or repair of all buildings and structures within the corporate limits of the city.

(b) In the event there is a conflict between the provisions of the code adopted by reference within this section and the other provisions of this Code or ordinances of the city, the other provisions of this Code or ordinances of the city shall prevail.

(Ord. of 3-10-86; Ord. of 3-7-88; Ord. of 1-11-93; Ord. of 11-8-93; Ord. of 5-20-96; Ord. of 10-27-03, eff. 11-26-03; Ord. of 12-01-03, eff. 12-31-03; Ord. of 12-11-06, eff. 1-10-07)

Cross reference—Building code adopted, § 8-2; BOCA Basic Fire Code adopted, § 13-1; gas codes adopted, §§ 15-1, 15-2; minimum standards for housing, § 18-70 et seq.

12-9 Appeals.

(a) If any person feels aggrieved by an order of the electrical inspector made in accordance with the provisions of this chapter she or he or his or her contractor may appeal by way of a petition in writing to the city engineer setting forth his or her reasons.

(b) The city engineer may affirm such order of the inspector or may modify the same, but such modification shall fall within the express or necessarily implied provisions of this chapter relating to such subject matter so considered. (c) A person aggrieved by the decision of the city engineer may request that this appeal be heard by the public works commission. In such case the city engineer shall forward the appeal to the commission chairperson for review under the authority of section 8-8 of the Burlington Code of Ordinances. (Rev. Ords. 1962, § 835; Ord. of 3-10-86; Ord. of 1-11-93; Ord. of 10-27-03, eff. 11-26-03)



VERMONT

ELECTRICAL SAFETY RULES

2011

*the Vermont Electricians' Licensing Board
and the Vermont Department of Public Safety
Division of Fire Safety*

Effective June 1, 2011



VERMONT

ELECTRICAL SAFETY RULES

2014

*The Vermont Electricians' Licensing Board
and the Vermont Department of Public Safety
Division of Fire Safety*

Effective July 1, 2014